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Central Administrative Tribunal
Principal Bench: New Delhi.

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Regn. No. OA-983/90

Date of Decision: 10th August, 1990

Zafar Ahmed

... Applicant.

Vs.

Union of India

... Respondents.

For the applicant

... Shri S. Wasim A. Kadri,
Advocate.

For the respondents

... Shri P. S. Mahendru,
Advocate.

CORAM: Hon'ble Shri D. K. Agrawal, Member (Judicial)
Hon'ble Shri P. C. Jain, Member (Administrative).

JUDGEMENT

(Delivered by Hon'ble Shri D. K. Agrawal)

This application under Section 19 of the Administrative Tribunals Act, 1985 has been directed against the applicant's non-selection for either of the post of Foreman or Asstt. Electric/Diesel Driver. It is alleged that a written test was held on 16.2.1986 for the above post. The applicant was allowed to appear. He successfully completed the written test. Thereafter, he was called for interview vide letter dated 25.8.1986. He was finally declared successful vide order dated 9.12.86. However, it was mentioned in the order dated 9.12.86 that the appointment was subject to medical fitness. The applicant was further directed to present himself for medical test vide letter dated 21.4.1987. The medical examination of the applicant also took place sometime thereafter. However, the date of medical examination has not been disclosed. In para 4(e), the applicant has alleged that he was declared medically unfit sometime in January, 1988.

2. The applicant's contention is that he has been wrongly declared medically unfit. His contention is that he is medically fit. However, there is no provision for the second medical examination in the Rules. At least neither any such rule was produced nor shown to us. The applicant has only filed some letters exchanged between an M.P. and the Railway

DK Agrawal

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Minister, which only indicate^{was} that the applicant ~~by~~ trying to exert political influence to enter into service. To our mind, the said correspondence is not relevant for our purpose i.e. for adjudication of the grievance of the applicant in accordance with the rules. Consequently, we are of the opinion that this application is liable to be dismissed at the admission stage. It is accordingly dismissed summarily at the admission stage itself.

P.C. Jain
(P.C. Jain) 10.8.90
Member (A)

D.K. Agrawal
(D.K. Agrawal) 10.8.90
Member (J)